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Attorney Docket No.: 24348-501 CIP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Ben-Sasson, et al.

SERIAL NUMBER:

MAR 1 0 2004

10/665,184

EXAMINER:

Not Yet Assigned

Reg. No. 48, 128

FILING DATE:

September 17, 2003

ART UNIT:

1614

For:

AMINO ACID SEQUENCE CAPABLE OF FACILITATING

PENETRATION ACROSS A BIOLOGICAL BARRIER

## **Mail Stop IDS**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Information Disclosure Statement (2 pages), in duplicate;
- 2. Modified Form 1449/PTO (2 pages), in duplicate;
- 3. Copies of Cited References: A1, B1; C1-32; and
- 4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24348-501 CIP. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

(m)

Ivor R. Elrifi, Reg. No. 39,529

Attorney for Applicants

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY and POPEO, P.C.

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Date: March 10, 2004

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### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Ben-Sasson, et al. 10/665,184 MAR 1 0 2004

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her on conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 24348-501 CIP.

Respectfully submitted,

Leg. No. 48, 128 Kor R. Elrifi, Reg. No. 39,529

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Page 1 of 2 Attorney Docket No.: 24348-501 CIP

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PTO/SB (12-97)
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dified Form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/665,184		
Filing Date	September 17, 2003		
First Named Inventor	Ben-Sasson		
Group Art Unit	Not Yet Assigned		
Examiner Name	Not Yet Assigned		
Attorney Docket Number	24348-501 CIP		

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate
	A1	4,873,316	10/10/89	Meade, et al.	530	412	

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	В1	wo	03/066859 A2	YISSUM RESEARCH DEVELOPMENT COMPANY OF THE HEBREW UNIV. OF JERUSALEM	08/14/03	Yes	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C1	Amann, et al., Gene, 69(2):301-315 (1988).					
	C2	Armstrong, W.M., <i>Physiol. Gastrointest. Tract</i> , 2 <sup>nd</sup> Ed., Johnson, ed., Raven Press, New York, 2:1251-1265 (1987).					
	СЗ	Baldari, et al., EMBO J., 6(1):229-234 (1987).					
	C4	Banerji, et al., Cell, 33:729-740 (1983).					
	C5	Bernkop-Schnurch, et al., J. Control. Release, 52:1-16 (1998).					
	C6	Byrne, et al., Proc. Natl. Acad. Sci. USA, 86:5473-5477 (1989).					
	C7	Calame, et al., Adv. Immunol., 43:235-275 (1988).					
	C8	Camper, et al., Genes Dev., 3(4):537-546 (1989).					
	C9	Edlund, et al., Science, 230:912-916 (1985).					
	C10	Fox, Curr. Opin. Pharmacol., 2:338-344 (2002).					
	C11	Gottesman, Gene Expression Technology: Methods in Enzymology 185, Academic Press, San Diego, Calif., ppg. 119-128 (1990).					
	C12	Gumbiner, Am. J. Physiol., 253(6):C749-C758 (1987).					
	C13	Inoue, et al., Inflamm. Res., 45(7):316-323 (1996).					
	C14	Jackson, L.R., Physiol. Gastrointest. Tract, 2nd Ed., Johnson, ed., Raven Press, New York, 2:1597-					

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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Cite No. Exam Initials Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. 1621 (1987). C15 Kaufman, et al., EMBO J., 6:187-195 (1987). C16 Kessel, et al., Science, 249:374-379 (1990). C17 Kurjan, et al., Cell, 30(3):933-943 (1982). C18 Luckow, et al., Virology, 170(1):31-39 (1989). C19 Madara, J. Clin. Invest., 83(4):1089-1094 (1989). C20 Merrifield, R.B., J. Am. Chem. Soc., 85:2151-2154 (1963) C21 O'Shaughnessy, et al., Euro. J. Pharm., 236(2):319-321 (1993). C22 Pinkert, et al., Genes Dev., 1(3):268-277 (1987). C23 Queen, et al., Cell, 33:741-748 (1983). C24 Schilfgaarde, et al., Infect. Immun., 68(8):4616-4623 (2000). C25 Schultz, et al., Gene, 54(1):113-123 (1987). C26 Seed B., Nature, 329:840-842 (1987). C27 Smith, et al., Mol. Cell. Biol., 3(12):2156-2165 (1983). C28 Studier, et al., Gene Expression Technology: Methods in Enzymology, Academic Press, San Diego, Calif., 185:60-89 (1990). C29 Wada, et al., Nucl. Acids Res., 20:2111-2118 (1992). C30 Weintraub, et al., "Anti-sense RNA as a Molecular Tool for Genetic Analysis", Reviews-Trends in Genetics, 1:22-25 (1985). C31 Winoto, et al., EMBO J., 8(3):729-733 (1989). C32 Yowell, et al., Cancer Treat. Rev., 28(Suppl. A):3-6 (2002).

Page 2 of 2

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. , and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and filed divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.